

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	14-CR-464 (VEC)
-against-	:	
	:	<u>ORDER</u>
SAMUEL VALLES,	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

On April 5, 2012, Defendant Samuel Valles (“Mr. Valles”) was sentenced to 46 months of imprisonment and three years of supervised release for possession with intent to distribute various controlled substances in violation of 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841(b)(1)(C). *See* Judgment, Dkt. 2.¹ On January 19, 2022, Mr. Valles admitted to violating the terms of his supervised release by trafficking in heroin; he was sentenced to time served² to be followed by two years of supervised release. *See* Order, Dkt. 10; Judgment, Dkt. 19. At the time of sentencing on April 27, 2022, the Court stated that it would give Mr. Valles the opportunity to request early termination of supervised release after one year as long as he had no new arrests, no positive drug tests, consistent full-time employment, and had made a good faith effort to pay his special assessment. *See* Transcript, Dkt. 20, at 9.

On May 16, 2023, Mr. Valles moved for early termination of his supervised release on the grounds that he had met the conditions to be considered for early termination that the Court outlined at the time of sentencing, and had been transferred to the Probation Department’s “low intensity caseload” due to his excellent compliance with supervision during the past year. *See* Def.

¹ Mr. Valles was convicted in the Eastern District of Pennsylvania. His supervision was transferred to this District on July 17, 2014. *See* Transfer of Jurisdiction, Dkt. 1.

² Prior to admitting that he violated the terms of supervised release, Mr. Valles served approximately six and a half years of an eight-year sentence in South Carolina for the underlying crime that led to the violation of supervised release. *See* Gov’t Sentencing Submission, Dkt. 17, at 2.

Mot., Dkt. 22. The Government takes no position on Mr. Valles's motion and the Probation Department does not object to it. *See* Gov't Letter, Dkt. 24. For the following reasons, Mr. Valles's motion is GRANTED.

This Court has broad discretion when deciding a motion to terminate a term of supervised release but must determine whether "such action is warranted by the conduct of the defendant released and the interest of justice," and consider the section 3353(a) sentencing factors. *See* 18 U.S.C. §§ 3583(c), (e)(1); *see also United States v. Weiss*, No. 21-CR-457 (PMH), 2022 WL 3214914, at *2 (S.D.N.Y. Aug. 9, 2022) (citing *United States v. Parisi*, 821 F.3d 343, 347 (2d Cir. 2016)); *United States v. Harris*, 689 F. Supp. 2d 692, 694 (S.D.N.Y. 2010).

The Court finds that termination is warranted because Mr. Valles has adequately demonstrated that he will be able to continue to act lawfully beyond the termination of supervision. Mr. Valles has not had any new arrests or positive drug tests during his term of supervision to date. He has had full-time employment as a ground support worker, maintained a stable residence with his daughter, reported to the Probation Department as required, and fully paid his special assessment. *See* Def. Mot., Dkt. 22.

Mr. Valles's sentence of time served and one year of supervised release adequately reflects the seriousness of the offense, promotes respect for the law, and affords adequate deterrence to criminal conduct. 18 U.S.C. § 3553(a).

Based on these findings, the Court hereby grants Mr. Valles's motion for an early termination of supervised release, effective immediately, and wishes him well. The Clerk of Court is respectfully directed to close the open motion at Docket Entry 22.

SO ORDERED.

**Date: May 24, 2023
New York, NY**



**VALERIE CAPRONI
United States District Judge**